

1-1 By: Taylor S.B. No. 1845
1-2 (In the Senate - Filed March 20, 2013; March 25, 2013, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 11, 2013, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 11, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hinojosa	X		
1-9	Nichols	X		
1-10	Garcia	X		
1-11	Paxton	X		
1-12	Taylor	X		

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to the creation of the Brazoria County Municipal Utility
1-16 District No. 48; granting a limited power of eminent domain;
1-17 providing authority to issue bonds; providing authority to impose
1-18 assessments, fees, and taxes.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-21 Code, is amended by adding Chapter 8426 to read as follows:

1-22 CHAPTER 8426. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 48

1-23 SUBCHAPTER A. GENERAL PROVISIONS

1-24 Sec. 8426.001. DEFINITIONS. In this chapter:

1-25 (1) "Board" means the district's board of directors.

1-26 (2) "Commission" means the Texas Commission on
1-27 Environmental Quality.

1-28 (3) "Director" means a board member.

1-29 (4) "District" means the Brazoria County Municipal
1-30 Utility District No. 48.

1-31 Sec. 8426.002. NATURE OF DISTRICT. The district is a
1-32 municipal utility district created under Section 59, Article XVI,
1-33 Texas Constitution.

1-34 Sec. 8426.003. CONFIRMATION AND DIRECTORS' ELECTION
1-35 REQUIRED. The temporary directors shall hold an election to
1-36 confirm the creation of the district and to elect five permanent
1-37 directors as provided by Section 49.102, Water Code.

1-38 Sec. 8426.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-39 temporary directors may not hold an election under Section 8426.003
1-40 until each municipality in whose corporate limits or
1-41 extraterritorial jurisdiction the district is located has
1-42 consented by ordinance or resolution to the creation of the
1-43 district and to the inclusion of land in the district.

1-44 Sec. 8426.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-45 (a) The district is created to serve a public purpose and benefit.

1-46 (b) The district is created to accomplish the purposes of:

1-47 (1) a municipal utility district as provided by
1-48 general law and Section 59, Article XVI, Texas Constitution; and

1-49 (2) Section 52, Article III, Texas Constitution, that
1-50 relate to the construction, acquisition, improvement, operation,
1-51 or maintenance of macadamized, graveled, or paved roads, or
1-52 improvements, including storm drainage, in aid of those roads.

1-53 Sec. 8426.006. INITIAL DISTRICT TERRITORY. (a) The
1-54 district is initially composed of the territory described by
1-55 Section 2 of the Act enacting this chapter.

1-56 (b) The boundaries and field notes contained in Section 2 of
1-57 the Act enacting this chapter form a closure. A mistake made in the
1-58 field notes or in copying the field notes in the legislative process
1-59 does not affect the district's:

1-60 (1) organization, existence, or validity;

1-61 (2) right to issue any type of bond for the purposes

for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8426.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8426.052, directors serve staggered four-year terms.

Sec. 8426.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8426.003; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter.

(c) If permanent directors have not been elected under Section 8426.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8426.003; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8426.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8426.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8426.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8426.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 8426.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the

creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8426.151. ELECTIONS REGARDING TAXES OR BONDS.

(a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8426.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 8426.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8426.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Sec. 8426.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8426.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8426.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8426.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Brazoria County Municipal Utility District No. 48 initially includes all the territory contained in the following area:

Being a 492.77 acre tract of land out of the Francis Moore League, Abstract 100, Brazoria County, Texas; and being out of and a portion of that certain called 2,075.08 acre tract of land as conveyed in Special Warranty Deed to SUNTEX FULLER CORPORATION, recorded in Clerk's File Number 99-003294 of the Official Public Records of Real Property in Brazoria County, Texas; said 492.77 acre tract of land is more particularly described by metes and bounds as follows;

BEGINNING at a point for corner in the North line of said Francis Moore League, Abstract-100 and the South line of J.M. Allen Survey, Abstract 1, said common line being the Centerline of F.M. 1462 (120-foot wide right-of-way) as described in Volume 303, Page 215 in Deed Records of Brazoria County, Texas; said point being at the intersection of said Centerline F.M. 1462 and the Westerly bank of Chocolate Bayou;

THENCE with said Westerly bank of Chocolate Bayou as follows:

- South 29° 37' 12" East, 286.76 feet to a point for corner;

4-1 - South 37° 37' 45" East, 98.60 feet to a point for corner;
 4-2 - South 58° 12' 19" East, 74.12 feet to a point for corner;
 4-3 - South 65° 18' 15" East, 39.36 feet to a point for corner;
 4-4 - South 72° 50' 52" East, 84.71 feet to a point for corner;
 4-5 - South 62° 07' 23" East, 50.26 feet to a point for corner;
 4-6 - South 63° 42' 25" East, 61.61 feet to a point for corner;
 4-7 - South 83° 58' 31" East, 62.15 feet to a point for corner;
 4-8 - South 89° 46' 42" East, 156.44 feet to a point for corner;
 4-9 - North 78° 40' 17" East, 114.42 feet to a point for corner;
 4-10 - South 83° 48' 49" East, 75.14 feet to a point for corner;
 4-11 - South 44° 41' 36" East, 53.64 feet to a point for corner;
 4-12 - South 35° 59' 27" East, 41.91 feet to a point for corner;
 4-13 - South 54° 37' 18" East, 72.75 feet to a point for corner;
 4-14 - South 60° 13' 15" East, 82.99 feet to a point for corner;
 4-15 - South 84° 59' 15" East, 41.40 feet to a point for corner;
 4-16 - North 65° 07' 37" East, 49.36 feet to a point for corner;
 4-17 - North 49° 04' 05" East, 45.02 feet to a point for corner;
 4-18 - North 27° 07' 24" East, 42.50 feet to a point for corner;
 4-19 - North 05° 24' 53" East, 150.68 feet to a point for corner;
 4-20 - North 17° 46' 16" East, 205.58 feet to a point for corner;
 4-21 - North 29° 54' 00" East, 69.19 feet to a point for corner;
 4-22 - North 53° 46' 00" East, 41.16 feet to a point for corner;
 4-23 - North 73° 56' 12" East, 44.86 feet to a point for corner;
 4-24 - South 74° 06' 34" East, 48.00 feet to a point for corner;
 4-25 - South 57° 22' 21" East, 52.53 feet to a point for corner;
 4-26 - South 46° 11' 23" East, 60.40 feet to a point for corner;
 4-27 - South 23° 42' 34" East, 110.24 feet to a point for corner;
 4-28 - South 37° 15' 55" East, 67.68 feet to a point for corner;
 4-29 - South 13° 20' 22" East, 50.54 feet to a point for corner;
 4-30 - South 13° 56' 17" West, 30.35 feet to a point for corner;
 4-31 - South 43° 44' 18" West, 45.77 feet to a point for corner;
 4-32 - South 28° 21' 38" West, 43.10 feet to a point for corner;
 4-33 - South 02° 44' 06" West, 78.01 feet to a point for corner;
 4-34 - South 12° 50' 40" West, 81.68 feet to a point for corner;
 4-35 - South 30° 17' 22" West, 34.87 feet to a point for corner;
 4-36 - South 55° 21' 34" West, 172.54 feet to a point for corner;
 4-37 - South 24° 06' 16" West, 50.46 feet to a point for corner;
 4-38 - South 02° 02' 05" West, 40.80 feet to a point for corner;
 4-39 - South 06° 26' 16" East, 53.32 feet to a point for corner;
 4-40 - South 36° 15' 31" East, 78.14 feet to a point for corner;
 4-41 - South 70° 27' 18" East, 63.39 feet to a point for corner;
 4-42 - South 82° 03' 36" East, 171.66 feet to a point for corner;
 4-43 - North 83° 34' 28" East, 126.11 feet to a point for corner;
 4-44 - South 87° 49' 03" East, 54.71 feet to a point for corner;
 4-45 - South 80° 56' 32" East, 64.45 feet to a point for corner;
 4-46 - North 84° 13' 38" East, 108.16 feet to a point for corner;
 4-47 - South 49° 12' 27" East, 91.66 feet to a point for corner;
 4-48 - South 29° 23' 53" East, 36.26 feet to a point for corner;
 4-49 - South 08° 12' 55" East, 50.07 feet to a point for corner;
 4-50 - South 14° 12' 56" West, 32.94 feet to a point for corner;
 4-51 - South 41° 22' 38" West, 30.22 feet to a point for corner;
 4-52 - South 62° 38' 50" West, 27.71 feet to a point for corner;
 4-53 - South 46° 50' 24" West, 40.68 feet to a point for corner;
 4-54 - South 19° 42' 22" West, 78.54 feet to a point for corner;
 4-55 - South 29° 41' 54" West, 57.57 feet to a point for corner;
 4-56 - South 54° 43' 10" West, 59.98 feet to a point for corner;
 4-57 - North 75° 12' 03" West, 28.25 feet to a point for corner;
 4-58 - North 58° 05' 53" West, 80.22 feet to a point for corner;
 4-59 - North 68° 16' 26" West, 80.89 feet to a point for corner;
 4-60 - North 84° 24' 48" West, 113.51 feet to a point for corner;
 4-61 - South 85° 36' 43" West, 57.64 feet to a point for corner;
 4-62 - South 59° 07' 07" West, 35.52 feet to a point for corner;
 4-63 - South 43° 10' 00" West, 173.07 feet to a point for corner;
 4-64 - South 58° 18' 23" West, 59.61 feet to a point for corner;
 4-65 - South 65° 27' 02" West, 95.46 feet to a point for corner;
 4-66 - South 75° 33' 32" West, 38.58 feet to a point for corner;
 4-67 - South 41° 03' 58" West, 116.50 feet to a point for corner;
 4-68 - South 22° 37' 47" West, 141.61 feet to a point for corner;
 4-69 - South 50° 15' 58" West, 35.62 feet to a point for corner;

5-1 - South 56° 20' 46" West, 45.50 feet to a point for corner;
 5-2 - South 76° 05' 17" West, 34.12 feet to a point for corner;
 5-3 - North 84° 28' 59" West, 68.63 feet to a point for corner;
 5-4 - North 73° 17' 07" West, 48.33 feet to a point for corner;
 5-5 - North 82° 37' 09" West, 97.81 feet to a point for corner;
 5-6 - North 70° 03' 45" West, 68.68 feet to a point for corner;
 5-7 - North 31° 08' 18" West, 94.47 feet to a point for corner;
 5-8 - North 53° 10' 57" West, 46.64 feet to a point for corner;
 5-9 - South 88° 04' 18" West, 51.20 feet to a point for corner;
 5-10 - South 48° 48' 10" West, 34.38 feet to a point for corner;
 5-11 - South 24° 58' 40" West, 28.83 feet to a point for corner;
 5-12 - South 14° 30' 57" West, 62.55 feet to a point for corner;
 5-13 - South 11° 22' 46" West, 47.19 feet to a point for corner;
 5-14 - South 06° 21' 31" West, 71.09 feet to a point for corner;
 5-15 - South 01° 53' 08" East, 54.84 feet to a point for corner;
 5-16 - South 22° 47' 28" East, 73.62 feet to a point for corner;
 5-17 - South 40° 22' 45" East, 88.74 feet to a point for corner;
 5-18 - South 49° 22' 08" East, 65.26 feet to a point for corner;
 5-19 - South 43° 59' 08" East, 38.80 feet to a point for corner;
 5-20 - South 23° 37' 58" East, 41.60 feet to a point for corner;
 5-21 - South 13° 27' 43" East, 72.46 feet to a point for corner;
 5-22 - South 04° 01' 07" West, 42.58 feet to a point for corner;
 5-23 - South 06° 34' 31" East, 63.66 feet to a point for corner;
 5-24 - South 27° 26' 58" East, 82.58 feet to a point for corner;
 5-25 - South 43° 05' 31" East, 75.71 feet to a point for corner;
 5-26 - South 56° 19' 30" East, 49.62 feet to a point for corner;
 5-27 - South 67° 40' 45" East, 29.88 feet to a point for corner;
 5-28 - North 79° 19' 18" East, 74.56 feet to a point for corner;
 5-29 - North 76° 45' 00" East, 53.43 feet to a point for corner;
 5-30 - North 65° 44' 53" East, 63.34 feet to a point for corner;
 5-31 - North 56° 48' 14" East, 127.00 feet to a point for corner;
 5-32 - North 49° 25' 33" East, 78.20 feet to a point for corner;
 5-33 - North 67° 53' 48" East, 26.43 feet to a point for corner;
 5-34 - South 88° 06' 40" East, 37.72 feet to a point for corner;
 5-35 - South 74° 00' 35" East, 71.50 feet to a point for corner;
 5-36 - South 65° 57' 46" East, 38.27 feet to a point for corner;
 5-37 - South 89° 42' 38" East, 87.64 feet to a point for corner;
 5-38 - North 85° 26' 05" East, 90.72 feet to a point for corner;
 5-39 - North 80° 10' 34" East, 82.71 feet to a point for corner;
 5-40 - North 87° 00' 20" East, 124.97 feet to a point for corner;
 5-41 - North 89° 26' 04" East, 57.86 feet to a point for corner;
 5-42 - North 77° 34' 48" East, 49.14 feet to a point for corner;
 5-43 - North 58° 17' 24" East, 108.39 feet to a point for corner;
 5-44 - North 75° 24' 28" East, 30.99 feet to a point for corner;
 5-45 - South 88° 57' 13" East, 34.60 feet to a point for corner;
 5-46 - South 56° 09' 02" East, 32.08 feet to a point for corner;
 5-47 - South 22° 58' 47" East, 33.43 feet to a point for corner;
 5-48 - South 05° 22' 46" East, 44.50 feet to a point for corner;
 5-49 - South 05° 06' 14" East, 36.88 feet to a point for corner;
 5-50 - South 01° 13' 08" West, 27.95 feet to a point for corner;
 5-51 - South 15° 10' 17" West, 107.22 feet to a point for corner;
 5-52 - South 23° 55' 06" West, 72.71 feet to a point for corner;
 5-53 - South 30° 49' 01" West, 145.30 feet to a point for corner;
 5-54 - South 15° 47' 42" West, 100.00 feet to a point for corner;
 5-55 - South 04° 46' 36" West, 54.14 feet to a point for corner;
 5-56 - South 02° 57' 21" East, 60.40 feet to a point for corner;
 5-57 - South 10° 08' 35" East, 49.22 feet to a point for corner;
 5-58 - South 09° 42' 06" East, 58.74 feet to a point for corner;
 5-59 - South 07° 38' 22" East, 36.41 feet to a point for corner;
 5-60 - South 31° 36' 51" East, 65.72 feet to a point for corner;
 5-61 - South 51° 26' 07" East, 61.58 feet to a point for corner;
 5-62 - South 67° 13' 50" East, 144.59 feet to a point for corner;
 5-63 - South 77° 25' 44" East, 191.64 feet to a point for corner;
 5-64 - North 78° 29' 03" East, 44.38 feet to a point for corner;
 5-65 - South 78° 19' 52" East, 41.39 feet to a point for corner;
 5-66 - South 66° 14' 34" East, 44.08 feet to a point for corner;
 5-67 - South 61° 53' 03" East, 46.63 feet to a point for corner;
 5-68 - South 49° 56' 58" East, 51.47 feet to a point for corner;
 5-69 - South 02° 17' 31" East, 112.25 feet to a point for corner;

6-1 - South 43° 16' 43" West, 98.84 feet to a point for corner;
 6-2 - South 57° 11' 33" West, 98.06 feet to a point for corner;
 6-3 - South 40° 07' 08" West, 236.64 feet to a point for corner;
 6-4 - North 70° 59' 30" West, 57.49 feet to a point for corner;
 6-5 - North 48° 00' 50" West, 118.49 feet to a point for corner;
 6-6 - North 76° 05' 32" West, 63.06 feet to a point for corner;
 6-7 - South 69° 35' 35" West, 58.51 feet to a point for corner;
 6-8 - South 13° 44' 39" West, 184.14 feet to a point for corner;
 6-9 - South 12° 29' 32" East, 146.42 feet to a point for corner;
 6-10 - South 41° 49' 23" East, 87.14 feet to a point for corner;
 6-11 - South 80° 55' 57" East, 86.52 feet to a point for corner;
 6-12 - North 75° 00' 30" East, 121.65 feet to a point for corner;
 6-13 - South 87° 45' 43" East, 74.00 feet to a point for corner;
 6-14 - South 52° 58' 03" East, 81.42 feet to a point for corner;
 6-15 - South 38° 54' 56" East, 96.24 feet to a point for corner;
 6-16 - South 50° 58' 05" East, 142.39 feet to a point for corner;
 6-17 - South 27° 12' 41" East, 168.84 feet to a point for corner;
 6-18 - South 66° 04' 26" East, 86.14 feet to a point for corner;
 6-19 - North 47° 10' 06" East, 94.51 feet to a point for corner;
 6-20 - North 62° 41' 11" East, 70.59 feet to a point for corner;
 6-21 - North 29° 32' 19" East, 146.55 feet to a point for corner;
 6-22 - North 64° 55' 24" East, 71.38 feet to a point for corner;
 6-23 - South 45° 02' 00" East, 69.41 feet to a point for corner;
 6-24 - South 20° 13' 41" East, 153.12 feet to a point for corner;
 6-25 - South 39° 23' 59" East, 99.67 feet to a point for corner;
 6-26 - South 07° 54' 52" West, 76.85 feet to a point for corner;
 6-27 - South 38° 29' 47" West, 183.92 feet to a point for corner;
 6-28 - South 33° 25' 33" West, 89.62 feet to a point for corner;
 6-29 - South 12° 25' 45" East, 37.02 feet to a point for corner;
 6-30 - South 47° 14' 01" East, 94.42 feet to a point for corner;
 6-31 - South 36° 03' 09" East, 77.48 feet to a point for the
 6-32 Southeast corner of the herein described tract of land;
 6-33 THENCE South 62° 54' 39" West with the Southeasterly line of
 6-34 the herein described tract of land, the Northwesterly line of
 6-35 Brazoria County M.U.D. No. 50, 3,610.87 feet to a point for the
 6-36 Southernmost Southwest corner of the herein described tract of
 6-37 land, being in the arc of a non-tangent curve to the right, for the
 6-38 East line of Savannah Plantation, Section Three as recorded in
 6-39 Volume 21, Page 1-2 of the Map Records of Brazoria County, Texas;
 6-40 THENCE with the East line of said Savannah Plantation,
 6-41 Section Three, the West line of the herein described tract of land
 6-42 as follows:
 6-43 - Along the arc of said non-tangent curve to the right,
 6-44 having a chord of North 17° 20' 19" East, 788.14 feet, a radius of
 6-45 2,230.00 feet, a central angle of 20° 21' 25", an arc length of
 6-46 792.31 feet to a point of non-tangent reverse curvature for corner;
 6-47 - Along the arc of said non-tangent reverse curve to the
 6-48 left, having a chord of North 05° 50' 56" West, 235.49 feet, a radius
 6-49 of 200.00 feet, a central angle of 72° 08' 00", an arc length of
 6-50 251.79 feet to a point for corner;
 6-51 - North 41° 54' 56" West, 411.19 feet to a point for corner at
 6-52 the beginning of a curve to the right;
 6-53 - Along the arc of said curve to the right, having a chord of
 6-54 North 30° 37' 03" West, 352.64 feet, a radius of 900.00 feet, a
 6-55 central angle of 22° 35' 45", an arc length of 354.93 feet to a point
 6-56 for corner;
 6-57 - North 19° 19' 11" West, 470.76 feet to a point for the
 6-58 Northeast corner of said Savannah Plantation, Section Three, being
 6-59 in the South line of Savannah Plantation, Section Four as recorded
 6-60 in Volume 21, Pages 153-154 of the Map Records of Brazoria County,
 6-61 Texas;
 6-62 THENCE with the South line of said Savannah Plantation,
 6-63 Section Four as follows:
 6-64 - North 70° 40' 49" East, 665.48 feet to a point for corner at
 6-65 the beginning of a curve to the left;
 6-66 - Along the arc of said curve to the left, having a chord of
 6-67 North 55° 54' 25" East, 968.98 feet, a radius of 1900.00 feet, a
 6-68 central angle of 29° 32' 48", an arc length of 979.80 feet to a point
 6-69 of reverse curvature for corner;

7-1 - Along the arc of said reverse curve to the right, having a
7-2 chord of North 48° 00' 02" East, 406.52 feet, a radius of 1700.00
7-3 feet, a central angle of 13° 44' 02", an arc length of 407.49 feet to
7-4 a point for the Easternmost corner of said Savannah Plantation,
7-5 Section Four;
7-6 THENCE North 45° 17' 17" West with the Northeasterly line of
7-7 said Savannah Plantation, Section Four, 498.34 feet to a point for
7-8 the Northeast corner of said Savannah Plantation, Section Four, at
7-9 the beginning of a non-tangent curve to the left;
7-10 THENCE with the North line of said Savannah Plantation,
7-11 Section Four as follows:
7-12 - Along the arc of said non-tangent curve to the left,
7-13 having a chord of South 51° 47' 20" West, 236.29 feet, a radius of
7-14 640.00 feet, a central angle of 21° 16' 32", an arc length of 237.65
7-15 feet to a point for corner;
7-16 - South 41° 09' 03" West, 202.91 feet to a point for corner;
7-17 - North 48° 50' 57" West, 15.15 feet to a point for corner at
7-18 the beginning of a curve to the left;
7-19 - Along the arc of said curve to the left, having a chord of
7-20 North 62° 26' 57" West, 348.01 feet, a radius of 740.00 feet, a
7-21 central angle of 27° 12' 00", an arc length of 351.30 feet to a point
7-22 for corner;
7-23 - South 13° 57' 02" West, 80.00 feet to a point for corner;
7-24 - South 70° 37' 31" West, 1280.48 feet to a point for corner;
7-25 - South 70° 43' 06" West, 3,357.14 feet to a point for the
7-26 Northwest corner of said Savannah Plantation, Section Four, in the
7-27 Northeasterly line of said Savannah Plantation, Section Three, the
7-28 Northeasterly right-of-way line of Savannah Plantation Drive
7-29 (150-foot right-of-way) as recorded in said Savannah Plantation,
7-30 Section Three;
7-31 THENCE North 27° 01' 02" West, passing at a distance of 695.14
7-32 feet a point marking the Northernmost Northeast corner of said
7-33 Savannah Plantation, Section Three, being the Southeast corner of
7-34 Savannah Plantation, Section Two, as recorded in Volume 20, Pages
7-35 333-334 of the Map Records of Brazoria County, Texas; and
7-36 continuing for a total distance of 1,173.56 feet to a point for the
7-37 Southwest corner of Savannah Plantation, Section One (Unrecorded);
7-38 THENCE with the Southeasterly line of said Savannah
7-39 Plantation, Section One as follows:
7-40 - North 62° 58' 58" East, 1515.00 feet to a point for corner;
7-41 - North 27° 01' 02" West, 474.00 feet to a point for corner;
7-42 - North 62° 58' 58" East, 1,800.00 feet to a point for the
7-43 Easternmost Southeast corner of said Savannah Plantation, Section
7-44 One;
7-45 - North 27° 01' 02" West, 786.10 feet to a point for the
7-46 Northeast corner of said Savannah Plantation, Section One, the
7-47 Northwest corner of the herein described tract of land, in the
7-48 Centerline of said F.M. 1462, in said North line of Francis Moore
7-49 League, A-100, the South line of said J.M. Allen Survey, A-1;
7-50 THENCE North 62° 58' 58" East with said centerline and said
7-51 common survey line, 2,586.70 feet to the POINT OF BEGINNING;
7-52 containing 492.77 acres of land, more or less.
7-53 SECTION 3. (a) The legal notice of the intention to
7-54 introduce this Act, setting forth the general substance of this
7-55 Act, has been published as provided by law, and the notice and a
7-56 copy of this Act have been furnished to all persons, agencies,
7-57 officials, or entities to which they are required to be furnished
7-58 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-59 Government Code.
7-60 (b) The governor, one of the required recipients, has
7-61 submitted the notice and Act to the Texas Commission on
7-62 Environmental Quality.
7-63 (c) The Texas Commission on Environmental Quality has filed
7-64 its recommendations relating to this Act with the governor, the
7-65 lieutenant governor, and the speaker of the house of
7-66 representatives within the required time.
7-67 (d) All requirements of the constitution and laws of this
7-68 state and the rules and procedures of the legislature with respect
7-69 to the notice, introduction, and passage of this Act are fulfilled

and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8426, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8426.106 to read as follows:

Sec. 8426.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Subsection (c), Section 17, Article I, Texas Constitution.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

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